

**B. REMARKS**

The Examiner is thanked for the performance of a thorough search. By this amendment, Claims 1, 2, 3, 5, 14, 15, 17, 26, 27, 29 and 39-41 have been canceled and Claims 4, 6, 8, 10, 12, 13, 16, 18, 20, 22, 24, 25, 28, 30, 32, 34 and 36-38 have been amended. Hence, Claims 4, 6-13, 16, 18-25, 28 and 30-38 are pending in this application. The amendments to the claims do not add any new matter to this application. All issues raised in the Office Action mailed August 5, 2004 are addressed hereinafter.

**SUMMARY OF TELEPHONE INTERVIEW WITH EXAMINER**

The Examiner is thanked for allowing the telephone conference with the undersigned on November 29, 2004. During that conversation, agreement was reached that Claims 2, 3, 5, 10-15, 17, 22-27, 29 and 34-41 stand rejected and that Claims 4, 6-9, 16, 18-21, 28 and 30-33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The claims have been amended to rewrite allowable Claims 4, 6-9, 16, 18-21, 28 and 30-33 in independent form including all of the limitations of the base claims and any intervening claims as follows:

**METHOD CLAIMS**

- Claim 4: Amended to include limitations of base Claim 2.
- Claim 6: Amended to include limitations of base Claim 2.
- Claim 7: Depends from allowable Claim 6—not amended.
- Claim 8: Amended to include limitations of base Claim 2.
- Claim 9: Depends from allowable Claim 8—not amended.
- Claim 10: Amended to change dependency to allowable Claim 4.
- Claim 11: Depends from Claim 10, which depends from allowable Claim 8—not amended.
- Claim 12: Amended to change dependency to allowable Claim 4.
- Claim 13: Amended to change dependency to allowable Claim 4.

### **COMPUTER-READABLE MEDIUM CLAIMS**

- Claim 16: Amended to include limitations of base Claim 14.
- Claim 18: Amended to include limitations of base Claim 14.
- Claim 19: Depends from allowable Claim 18—not amended.
- Claim 20: Amended to include limitations of base Claim 14.
- Claim 21: Depends from allowable Claim 20—not amended.
- Claim 22: Amended to change dependency to allowable Claim 16.
- Claim 23: Depends from Claim 22, which depends from allowable Claim 16—not amended.
- Claim 24: Amended to change dependency to allowable Claim 16.
- Claim 25: Amended to change dependency to allowable Claim 16.

### **APPARATUS CLAIMS**

- Claim 28: Amended to include limitations of base Claim 28.
- Claim 30: Amended to include limitations of base Claim 28.
- Claim 31: Depends from allowable Claim 30—not amended.
- Claim 32: Amended to include limitations of base Claim 28.
- Claim 33: Depends from allowable Claim 32—not amended.
- Claim 34: Amended to change dependency to allowable Claim 28.
- Claim 35: Depends from Claim 34, which depends from allowable Claim 28—not amended.
- Claim 36: Amended to change dependency to allowable Claim 28.
- Claim 37: Amended to change dependency to allowable Claim 28.
- Claim 38: Amended to change dependency to allowable Claim 28.

### **REJECTION OF CLAIMS 39 AND 40 UNDER 35 U.S.C. § 112, SECOND PARAGRAPH**

Claims 39 and 40 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which application regards as the invention. It is respectfully submitted that this rejection is now moot in view of the cancellation of Claims 39 and 40.

### **DOUBLE PATENTING REJECTION OF CLAIMS 2, 5, 11, 14, 16, 17, 22, 23, 26-29, 37, 38 AND 39-41**

Claims 2, 5, 11, 14, 16, 17, 22, 23, 26-29, 37, 38 and 39-41 were provisionally rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over Claims 1, 8, 14, 24-28, 30, 35, 36, 45, 49, 50, 59 and 67-69 of co-pending U.S. patent

application No. 10/056,728. A proper terminal disclaimer complying with 37 CFR 3.73(b) is filed herewith. Accordingly, reconsideration withdrawal of the double patenting rejection is respectfully requested.

**REJECTION OF CLAIMS 2, 3, 10-14, 22-26, 34-36 AND 38 UNDER 35 U.S.C. § 103(a)**

Claims 2, 3, 10-14, 22-26, 34-36 and 38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wright et al.*, U.S. Patent No. 6,388,513. It is respectfully submitted that this rejection is now moot in view of the amendments made herein to rewrite in independent form the claims indicated as being objected to.

**CONCLUSION**

It is respectfully submitted that all of the pending claims are in condition for allowance and the issuance of a notice of allowance is respectfully requested. If there are any additional charges, please charge them to Deposit Account No. 50-1302.

The Examiner is invited to contact the undersigned by telephone if the Examiner believes that such contact would be helpful in furthering the prosecution of this application.

Respectfully submitted,

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**Date: December 3, 2004**

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: **Mail Stop Amendment**, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

on December 3, 2004

by   
Angelica Maloney